

107TH CONGRESS
2D SESSION

H. R. 3917

To authorize a national memorial to commemorate the passengers and crew of Flight 93 who, on September 11, 2001, courageously gave their lives thereby thwarting a planned attack on our Nation's Capital, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

MARCH 7, 2002

Mr. MURTHA introduced the following bill; which was referred to the
Committee on Resources

A BILL

To authorize a national memorial to commemorate the passengers and crew of Flight 93 who, on September 11, 2001, courageously gave their lives thereby thwarting a planned attack on our Nation's Capital, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Flight 93 National
5 Memorial Act”.

6 **SEC. 2. FINDINGS AND PURPOSES.**

7 (a) FINDINGS.—Congress finds the following:

1 (1) Passengers and crewmembers of United
2 Airlines Flight 93 of September 11, 2001, coura-
3 geously gave their lives, thereby thwarting a planned
4 attack on our Nation's Capital.

5 (2) In the months since the historic events of
6 September 11, thousands of people have visited the
7 Flight 93 site, drawn by the heroic action and sac-
8 rifice of the passengers and crew aboard Flight 93.

9 (3) Many are profoundly concerned about the
10 future disposition of the crash site, including griev-
11 ing families of the passengers and crew, the people
12 of the region who are the current stewards of the
13 site, and a broad spectrum of citizens across the
14 United States. Many of these people are forming the
15 Flight 93 Task Force as a broad, inclusive organiza-
16 tion to provide a voice for all interested and con-
17 cerned parties.

18 (4) The crash site commemorates Flight 93 and
19 is a profound symbol of American patriotism and
20 spontaneous leadership of citizen-heroes. The deter-
21 mination of appropriate recognition at the crash site
22 of Flight 93 will be a slowly unfolding process in
23 order to address the interests and concerns of all in-
24 terested parties. Appropriate national assistance and

1 recognition must give ample opportunity for those
2 involved to voice these broad concerns.

3 (5) It is appropriate that the crash site of
4 Flight 93 be designated a unit of the National Park
5 System.

6 (b) PURPOSES.—The purposes of this Act are as fol-
7 lows:

8 (1) To establish a national memorial to honor
9 the passengers and crew of United Airlines Flight
10 93 of September 11, 2001.

11 (2) To establish the Flight 93 Advisory Com-
12 mission to assist with consideration and formulation
13 of plans for a permanent memorial to the passengers
14 and crew of Flight 93, including its nature, design,
15 and construction.

16 (3) To authorize the Secretary of the Interior
17 to coordinate and facilitate the activities of the
18 Flight 93 Advisory Commission, provide technical
19 and financial assistance to the Flight 93 Task
20 Force, and to administer a Flight 93 memorial.

21 **SEC. 3. MEMORIAL TO HONOR THE PASSENGERS AND**
22 **CREWMEMBERS OF FLIGHT 93.**

23 There is established a memorial at the September 11,
24 2001, crash site of United Airlines Flight 93 in the

1 Stonycreek Township, Somerset County, Pennsylvania, to
2 honor the passengers and crew of Flight 93.

3 **SEC. 4. FLIGHT 93 ADVISORY COMMISSION.**

4 (a) ESTABLISHMENT.—There is established a com-
5 mission to be known as the “Flight 93 Advisory Commis-
6 sion” (hereafter in this Act referred to as the “Commis-
7 sion”).

8 (b) MEMBERSHIP.—The Commission shall consist of
9 15 members, including the Director of the National Park
10 Service, or the Director’s designee, and 14 members ap-
11 pointed by the Secretary of the Interior from recommenda-
12 tions of the Flight 93 Task Force.

13 (c) TERM.—The term of the members of the Commis-
14 sion shall be for the life of the Commission.

15 (d) CHAIR.—The members of the Commission shall
16 select the Chair of the Commission.

17 (e) VACANCIES.—Any vacancy in the Commission
18 shall not affect its powers if a quorum is present, but shall
19 be filled in the same manner as the original appointment.

20 (f) MEETINGS.—The Commission shall meet at the
21 call of the Chairperson or a majority of the members, but
22 not less often than quarterly. Notice of the Commission
23 meetings and agendas for the meetings shall be published
24 in local newspapers in the vicinity of Somerset County and
25 in the Federal Register. Meetings of the Commission shall

1 be subject to section 552b of title 5, United States Code
2 (relating to open meetings).

3 (g) QUORUM.—A majority of the members serving on
4 the Commission shall constitute a quorum for the trans-
5 action of any business.

6 (h) NO COMPENSATION.—Members of the Commis-
7 sion shall serve without compensation, but may be reim-
8 bursed for expenses incurred in carrying out the duties
9 of the Commission.

10 (i) DUTIES.—The duties of the Commission shall be
11 as follow:

12 (1) Not later than 3 years after the date of the
13 enactment of this Act, the Commission shall submit
14 to the Secretary of the Interior and Congress a re-
15 port containing recommendations for the planning,
16 design, construction, and long-term management of
17 a permanent memorial at the memorial site.

18 (2) The Commission shall advise the Secretary
19 on the boundaries of the memorial site.

20 (3) The Commission shall advise the Secretary
21 of the Interior in the development of a management
22 plan for the memorial.

23 (4) The Commission shall consult and coordi-
24 nate closely with the Flight 93 Task Force, the
25 Commonwealth of Pennsylvania, and other inter-

1 ested parties, as appropriate, to support and not
2 supplant the efforts of the Flight 93 Task Force on
3 and before the date of the enactment of this Act to
4 commemorate Flight 93.

5 (5) The Commission shall provide significant
6 opportunities for public participation in the planning
7 and design of the memorial.

8 (j) POWERS.—The Commission may—

9 (1) make such expenditures for services and
10 materials for the purpose of carrying out this Act as
11 the Commission considers advisable from funds ap-
12 propriated or received as gifts for that purpose;

13 (2) accept gifts to be used in carrying out this
14 section or to be used in connection with the con-
15 struction or other expenses of the memorial;

16 (3) hold hearings, enter into contracts for per-
17 sonal services and otherwise;

18 (4) do such other things as are necessary to
19 carry out this Act; and

20 (5) by a vote of the majority of the Commis-
21 sion, delegate such of its duties as it determines ap-
22 propriate employees of the National Park Service
23 staff.

24 (k) TERMINATION.—The Commission shall terminate
25 upon dedication of the completed memorial.

1 **SEC. 5. DUTIES OF THE SECRETARY.**

2 The Secretary of the Interior is authorized to—

3 (1) provide assistance to the Commission, in-
4 cluding advice on collections, storage, and archives;

5 (2) consult and assist the Commission in pro-
6 viding information, interpretation, and the conduct
7 of oral history interviews;

8 (3) assistance in conducting public meetings
9 and forums held by the Commission;

10 (4) participate in or support the planning ef-
11 forts for the memorial;

12 (5) provide programming and design assistance
13 to the Commission for possible memorial exhibits,
14 collections, or activities;

15 (6) provide project management assistance to
16 the Commission for design and construction activi-
17 ties;

18 (7) provide staff assistance and support to the
19 Commission and the Flight 93 Task Force;

20 (8) participate in the formulation of plans for
21 the design of the memorial and to construct the me-
22 morial;

23 (9) acquire from willing sellers the land or in-
24 terests in land for the memorial site by donation,
25 purchase with donated or appropriated funds, or ex-
26 change; and

1 (10) to administer the Flight 93 memorial as a
2 unit of the National Park Service in accordance with
3 this Act and with the laws generally applicable to
4 units of the National Park System such as the Act
5 of August 25, 1916 (39 Stat. 585).

6 **SEC. 6. CLARIFICATION OF PASSENGERS AND CREW.**

7 For the purposes of this Act, the terrorists on United
8 Airlines Flight 93 on September 11, 2001, shall not be
9 considered passengers or crew of that flight.

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